

U.S. Patent Application Serial No. 10/530,412
Amendment filed March 10, 2006
Reply to OA dated December 19, 2005

REMARKS

Claims 1-14 are pending in this application. Claims 1 and 2 are amended herein. Upon entry of this amendment, claims 1-14 will be pending. Entry of this amendment and reconsideration of the rejections are respectfully requested.

Minor amendments are also made to the specification.

No new matter has been introduced by this Amendment. Support for the amendments to the claims is discussed below.

The amendment to the specification corrects a clerical error in the listing of a document in the original specification.

Claims 1-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. (Office action p.2)

The rejection is overcome by the amendments to the claims.

The Examiner cites claims 1 and 2 for reciting measurements performed using “a micro compression testing machine” and “a powder tester”, respectively. The Examiner considers these recitations to be indefinite, stating that “no industry standard testing protocol or specifically identifiable testing instrument is specified”.

Claim 1 has been amended: “measured by a MCT-W500-J micro compression testing machine manufactured by Shimadzu Corporation under conditions of 9.8 mN in load and 0.892405

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mN/sec in load speed". That is, the testing instrument and the testing conditions are specified, thereby distinctly defining the recited parameters St and Sta. Support for this amendment may be found on page 20, last paragraph, of the specification, which indicates that the tensile strength parameters St and Sta are measured using "micro compression testing machine MCT-W500-J under conditions of 9.8 mN in load and 0.892405 mN/sec in load speed."

Similarly, claim 2 has been amended to recite that the measurement is "based on the Carr theory." Support for the amendment to claim 2 may be found on page 22, lines 11-13, of the specification, which states that the solidified apparent density "can be measured by a powder tester manufactured by Hosokawa Micron Co., Ltd. based on the Carr Theory."

Applicant submits that the specification of the Carr theory, by which the value of ρ_{bp} , the solidified apparent density [g/cm^3] of the agglomerate powder, is measured, removes any indefiniteness regarding the measurement of this parameter.

In view of the aforementioned amendments and accompanying remarks, the claims, as amended, are in condition for allowance, which action, at an early date, is requested.

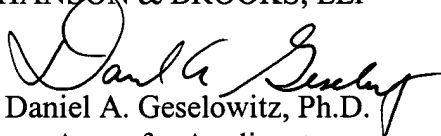
If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the Applicant's undersigned agent at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

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In the event that this paper is not timely filed, the Applicant respectfully petitions for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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